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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,995	07/13/2001	Clayton Wishoff	ZAPME-01015US1 SRM/KFK	3814

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EXAMINER	
ZHOU, TING	

ART UNIT	PAPER NUMBER
2173	9

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/904,995	Applicant(s) WISHOFF, CLAYTON	
	Examiner Ting Zhou	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-12 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 13 July 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

BA HUYNH
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 6.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference character "192" in Figure 2 and reference characters "215", "241", "243" and "251" in Figure 4.

2. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 6-7 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Brooks U.S. Patent 6,008,809.

Referring to claims 1 and 7, Brooks teaches a system and method comprising a graphical user interface accessible by the user (column 1, lines 37-41), a software application interacting with the graphical user interface and having a display window (the GUI displaying application windows) (column 2, lines 11-21 and column 5, lines 22-30), means for specifying a container portion of the screen display to be used for the software application (dynamic window displaying applications), means for detecting whether the window display of the software application exceeds the boundaries of the container portion of the screen and means for adjusting the window display of the software application so that it remains within the container portion of the screen (applications in the dynamic window, or container portion, are adjusted via resizing and repositioning in order to fit within the dynamic container), as recited in column 2, lines 11-33 and column 13, lines 53-62. This is further shown in Figure 14 where it can be seen that the dynamic window has a boundary containing the application windows inside, and the applications are sized and positioned to fit within the boundaries of the dynamic window.

Referring to claims 6 and 12, Brooks teaches the container process installing a series of software hooks into the software application interacting with the graphical user interface to trap all attempts or signals to use the mouse or keyboard within the graphical user interface (the

dynamic window allows the user to adjust the size of the application windows and therefore, user input into the interface, such as via mouse or keyboard, are trapped, or stored in the interface program in order to be executed), as recited in column 5, lines 55-67 and column 6, lines 1-30 and 56-65.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2-3 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks U.S. Patent 6,008,809.

Referring to claims 2 and 8, Brooks teaches all of the limitations as applied to claims 1 and 7 above. Although Brooks does not explicitly teach the container portion set by default to fill the entire screen, the teaching of setting a screen size by default is well know in the art. The examiner takes Official Notice of this teaching. Therefore, it would have been obvious to one of ordinary skill in the art to set the container display portion taught by Brooks et al. to fill the entire screen by default. One would have been motivated to make such a combination in order to allow users to view the displayed information more clearly and conveniently. By setting the

display to fill the entire screen, users will be provided with the clearest view of the image, since the information can be shown in the largest display area possible.

Referring to claims 3 and 9, Brooks teaches all of the limitations as applied to claims 1 and 7 above. Although Brooks does not explicitly teach determining the actual size of the computer users' screen and using this information to determine the container portion, it is obvious that the container portion taught by Brooks can be set bigger or smaller according to the size of the monitor which displays the container portion. For example, if the user had a big monitor, the window display area would therefore be bigger, and consequently, the dynamic window (container portion) displaying the applications can also be set bigger to accommodate the extra display space. The examiner takes Official Notice of this teaching. It would have been obvious for one of ordinary skill in the art to determine the size of the container portion according to the size of the users' computer screen. It would have been advantageous for one to utilize such a combination in order to provide the optimum display to the user; by considering the size of the users' computer screen in determining the size of the display area, users will obtain a display that best fits their viewing preferences and needs.

5. Claims 4-5 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks U.S. Patent 6,008,809, as applied to claims 1 and 7 above, and further in view of Hilton et al. U.S. Patent 5,452,416.

Referring to claims 4 and 10, while Brooks teaches all of the limitations as applied to claims 1 and 7 above, they fail to teach a location determination processor for determining whether the user's computer system is running in a school mode or a home mode. Hilton et al.

teach a method and system comprising presentation areas for displaying information (column 2, lines 21-33) similar to that of Brooks. In addition, Hilton et al. further teach a monitor mode and series mode for viewing the information in the display areas, as recited in column 6, lines 61-68 and column 7, lines 34-44. In the monitor mode, the images are shown in several smaller presentation areas within the display, whereas in the series mode, the images are shown in four larger presentations areas within the display. Therefore, the monitor mode is similar to the school mode defined in the invention, where each presentation area occupies a smaller space and the series mode is similar to the home mode defined in the invention, where each presentation area occupies a larger space, as shown in Figures 3 and 4. It would have been obvious to one of ordinary skill in the art, having the teachings of Brooks and Hilton et al. before him at the time the invention was made, to modify the graphical user interface of Brooks to include the varying sizes of the presentation areas corresponding to the operating modes, as taught by Hilton et al. It would have been advantageous for one to utilize such a combination in order to give users more options operating and interacting with their workspace, allowing different operating modes (such as a school mode or a home mode) where different settings and options can be chosen to best fit and cater to the user of the system.

Referring to claims 5 and 11, while Brooks teach all of the limitations as applied to claims 1 and 7 above, they fail to teach a school mode, in which the system can be more restrictive, and in particular the container area may be set to a smaller portion of the screen, and wherein in a home mode, the container may be set to extend a larger area. Hilton et al. teach a method and system comprising presentation areas for displaying information (column 2, lines 21-33) similar to that of Brooks. In addition, Hilton et al. further teach a monitor mode and

series mode for viewing the information in the display areas, as recited in column 6, lines 61-68 and column 7, lines 34-44. In the monitor mode, the images are shown in several smaller presentation areas within the display, whereas in the series mode, the images are shown in four larger presentations areas within the display. Therefore, the monitor mode is similar to the school mode defined in the invention, where each presentation area occupies a smaller space and the series mode is similar to the home mode defined in the invention, where each presentation area occupies a larger space, as shown in Figures 3 and 4. It would have been obvious to one of ordinary skill in the art, having the teachings of Brooks and Hilton et al. to modify the graphical user interface of Brooks to include the varying sizes of the presentation areas corresponding to the operating modes, as taught by Hilton et al. It would have been obvious to one of ordinary skill in the art, having the teachings of Brooks and Hilton et al. to modify the graphical user interface of Brooks to include the varying sizes of the presentation areas corresponding to the operating modes, as taught by Hilton et al. One would have been motivated to make such a combination in order to allow the display workspace to expand and shrink according to the needs and preferences of the user.

6. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar systems for displaying application windows in a constrained space.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703)305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 12, 2004

BA HUYNH
PRIMARY EXAMINER